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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHAYON ASCARIE, et al.,

Plaintiffs,

No. C 12-01572 JSW

v.

NATIONWIDE MUTUAL INSURANCE  
COMPANY,

Defendant.

**ORDER DENYING AS MOOT  
REMAINDER OF DEFENDANT'S  
MOTION FOR RELIEF FROM  
NON-DISPOSITIVE PRETRIAL  
ORDER OF MAGISTRATE  
JUDGE**

The Court has received and considered Defendant's motion for relief from the Order issued by Magistrate Judge Cousins, dated December 13, 2012, resolving certain discovery disputes in this matter, and it has considered the parties' papers with regard to that portion of the Order relating to the issue of costs and fees pertaining to producing Marla Sharlow for deposition. Plaintiffs have stated they incurred no fees and costs. Because the Court finds the issue moot, it declines to set aside or modify Judge Cousins' order.

**IT IS SO ORDERED.**

Dated: January 23, 2013

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

